IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition No. 333 (S/B) 2003

Niranjan Behra s/o Shri Bharat
Chandra Behra r/o P3/37,
T.H.D.C. Colony,
Bhagirathi Puram,
Tehri Garhwal ..... Petitioner

Versus

The Chairman and Managing Director
T.H.D.C. and others ..... Respondents.

Mr. Arbind Vashishtha, Advocate, for the petitioner
Mr. U.K. Uniyal, Advocate for the T.H.D.C.
Mr.Ramji Srivastava for the intervener.

Coram: Hon. S.H.Kapadia, C.J.
Hon. Rajesh Tandon, J.

Dated: 08.09.2003:

PC:

Rule.

Respondents waive service.

Petitioner is permitted to join the intervener as a party-respondent to the petition.

By this petition, the petitioner Dr. Niranjan Behra, Deputy Chief Medical Officer seeks to challenge her transfer to Rishikesh in the grade of Deputy Chief Medical Officer. Serious allegations of mala fides have been made in the writ petition. The petitioner has alleged that the impugned order of transfer has been Issued by the Tehri Hydro Development Corporation at the behest of Dr. Kiran who is working in the Corporation as Assistant Chief Medical Officer at Bhagirathi Puram.

We have gone through the petition. The two doctors are fighting tooth and nail. Each doctor has filed F.I.R. against other. In the result, it is the Corporation, which suffers. In the circumstances, we are not inclined to interfere with the Impugned order of transfer.

The doctors are supposed to look after the welfare of the workers of the Corporation. In the circumstances, we recommend the competent authority to transfer Dr. Navneet Kiran from Bhagirathi Puram where Dr. Navneet Kiran is working for the last four years. This unusual order is

Passed by us by way of recommendation in the interest of workers of the Corporation.

The petition is disposed of.

(Rajesh Tandon, J.) **(S.H. Kapadia, C.J.)**

AK.